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7 Attorneys for Third-Party Defendant
SQUARE D COMPANY, a Delaware corporation

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9 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

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11 THE UNITED STATES OF AMERICA,
12 for the use and benefit of SUMMERS
13 GROUP, INC. a Delaware corporation
14 doing business as REXEL PACIFIC,

15 v.
16 Use-Plaintiff,

17 MID VALLEY ELECTRIC &
18 COMMUNICATIONS, INC., a
corporation dba CLYDE G. STEAGALL,
INC.; FIREMAN'S FUND
INSURANCE COMPANY, a California
corporation,

19 Defendants.

20 **AND RELATED COUNTERCLAIM**

21 SUMMERS GROUP, INC. a Delaware
22 corporation doing business as REXEL
23 PACIFIC,

24 Third-Party Plaintiff,

25 v.

26 SQUARE D COMPANY, a corporation,

27 Third-Party Defendant.

Case No.: C04 05458 JF/HRL

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11 **JOINT STATUS REPORT OF MID
12 VALLEY ELECTRIC &
13 COMMUNICATIONS, INC. AND
14 SQUARE D COMPANY, A
15 CORPORATION**

16 and ORDER CONTINUING STATUS CONFERENCE

17 DATE: July 18, 2008
18 TIME: 10:30 A.M.
19 DEPT: 3

The parties, by and through their counsel, hereby submit this Joint Status Report to the Court in connection with the Status Conference which is set in the above-entitled matter on July 18, 2008 at 10:30 a.m.

On or about March 7, 2007, the Court issued an Order staying the above-entitled litigation based upon the fact that there is a separate litigation pending in the Court of Federal Claims between MID VALLEY ELECTRIC & COMMUNICATIONS, INC., a corporation dba CLYDE G. STEAGALL, INC. (“STEAGALL”) and the NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (“NASA”), the owner of the construction project which forms the basis for the above-entitled litigation.

The litigation between STEAGALL and NASA shall be hereinafter referred to as the “NASA Litigation”.

As set forth in the parties previous Joint Status Report, the NASA Litigation is now at issue. Although a Status Conference was held in the NASA Litigation in August 2007, a Scheduling Order still has not been issued by the Court of Federal Claims in that matter. Instead, the Court of Federal Claims has ordered the parties thereto to conduct preliminary discovery (some of which has been conducted) and has ordered the parties to take certain depositions and file another Status Report with the Court of Federal Claims. Counsel for STEAGALL anticipates that the Court of Federal Claims will not hold another Status Conference in the NASA Litigation until after July 2008. Accordingly, the parties to the instant matter believe that it would be appropriate for the Court to hold another Status Conference in this matter sometime in October 2008.

DATED: July 14, 2008

GIBBS, GIDEN, LOCHER, TURNER & SENET LLP

By: Michael I. Wayne

Attn: [REDACTED]
Atorneys for Third-Party Defendant
SQUARE D COMPANY, a Delaware corporation

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GIBBS, GIDEN, LOCHER, TURNER & SENET, LLP

DATED: 7/15/08

THURBON & MCHANAY, L.P

By: Erin Holbrook

Erin Holbrook, Esq.

Attorneys for Defendants

MID VALLEY ELECTRIC & COMMUNICATIONS,
INC., a corporation dba CLYDE G. STEAGALL,
INC.

DATED: 7-14-08

WALSH & WALSH, P.C.

By: Michael J. Walsh

Michael J. Walsh, Esq.

Attorneys for Use-Plaintiff

THE UNITED STATES OF AMERICA, for the use
and benefit of SUMMERS GROUP, INC. a Delaware
corporation doing business as REXEL PACIFIC

7/17/08 The Status Conference is continued to 10/24/08 at 10:30 AM.

IT IS SO ORDERED.

Judge Jeremy Fogel, US District Court